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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,774	05/25/2007	Craig Heath	356952.00052-US	1329
78905	7590	11/13/2008		
Saul Ewing LLP (Philadelphia) Attn: Patent Docket Clerk 2 North Second St. Harrisburg, PA 17101			EXAMINER SQUIRES, BRETT S	
			ART UNIT 2431	PAPER NUMBER
			MAIL DATE 11/13/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/596,774	Applicant(s) HEATH ET AL.	
	Examiner BRETT SQUIRES	Art Unit 2431	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>06/23/06</u> . | 6) <input type="checkbox"/> Other: _____ |

Abstract

1. The abstract of the disclosure is objected to because the abstract, excluding indefinite articles, is only thirty nine words in length. The abstract should be in narrative form and generally limited to a single paragraph within the range of 50 to 150 words. See MPEP § 608.01(b). Appropriate correction is required.

Specification

2. The disclosure is objected to because of the following informalities: the various sections of the specification are not labeled with the appropriate section heading. Please see MPEP 608.01(a). Appropriate correction is required.

3. The disclosure is objected to because of the following informalities: the definition set forth by the applicant of the claim term "computing device," is repugnant to its ordinary and customary meanings. The applicant defines "computing device," on page 1 lines 11-12 of the specification "The term computing device as used herein is to be expansively construed to cover any form of electrical device." This definition includes passive electrical devices such as transformers and therefore is repugnant to the ordinary and customary meanings of computing device. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5 and 9-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Olkin et al. (US 2003/0074552).

Regarding Claims 1 and 11:

Olkin discloses a method of operating a computing device ("Personal Computer" See fig. 1 ref. nos. 18, 20 and paragraph 42), the method comprising, in response to a request from a user to carry out an operation using the device ("Application Session" See paragraph 67), determining the time period since the identity of the user was authenticated ("The cache time setting works with the cache password setting to control the maximum time which a password can be cached." See paragraph 68), and enabling the requested operation in dependence upon the determined time period and the purpose of the requested operation ("The configuration options generally should persist from session to session, consistent with good security practice they should be associated with a user and not merely a machine." See paragraph 64).

Regarding Claim 2:

Olkin discloses the identity of the user is authenticated using a pass phrase ("The major security element is making conversation keys available to any user who has

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authenticated by any means sufficient to the key server. This could be a simple password, digital certificates, biometric, etc." See paragraph 222).

Regarding Claim 3:

Olkin discloses the identity of the user is authenticated using biometric information ("The major security element is making conversation keys available to any user who has authenticated by any means sufficient to the key server. This could be a simple password, digital certificates, biometric, etc." See paragraph 222).

Regarding Claim 4:

Olkin discloses determining the time period since the identity of the user was last authenticated ("The cache time setting works with the cache password setting to control the maximum time which a password can be cached." See paragraph 68).

Regarding Claim 5:

Olkin discloses the request operation is enabled if the determined time period is less than or equal to a time period set by the user ("Suitable defaults can be provided in most, if not situation, but sophisticated users or particular situations may merit changing these settings." and "Particular examples of settings in the configuration options may include: an encrypt subject setting, a cache password setting, a cache time setting, an expiration setting, a maximum reads setting, and others" See paragraphs 64-65).

Regarding Claims 9 and 10:

Olkin discloses the computing device is a mobile phone ("Cell-Phone" See paragraph 43).

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6. Claims 1-2, 5, 7-8, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kondo et al. (US 2003/0191594).

Regarding Claims 1 and 11:

Kondo discloses a method of operating a computing device ("Personal Computer" See paragraph 7), the method comprising, in response to a request from a user to carry out an operation using the device ("The processing sequence performs the authentication processing every time the user operation is performed." See fig. 2 and paragraph 7), determining the time period since the identity of the user was authenticated ("The time period is set such that the time period begins when the user is authenticated and expires immediately after one user operation is performed." See paragraph 8), and enabling the requested operation in dependence upon the determined time period and the purpose of the requested operation ("When the authentication is successful once, only one operation immediately after the authentication is permitted." See paragraph 8).

Regarding Claim 2:

Kondo discloses the identity of the user is authenticated using a pass phrase ("When the checking processing determines that the password input from the user agrees with the password stored in the storage unit, it is determined that the authentication is successful." See paragraphs 4 and 7).

Regarding Claims 5 and 7:

Kondo discloses the time period for a type of operation is arranged to expire upon completion of the immediately preceding operation of the same type ("When the

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authentication is successful once, only one operation immediately after the authentication is permitted. Accordingly, the time period for all other operations will expire immediately upon completion of the one operation.” See paragraph 8)

Regarding Claim 8:

Kondo discloses categories of operation used to determine the purpose for a request operation are set by the user (“The user operation is diverse, ranging from, for example, obtaining data from storage means in a PC having the authentication unit, updating, drawing money from the financial terminal, and downloading data from the server through the network.” See paragraph 5)

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being obvious over Kondo et al. (US 2003/0191594) in view of Olkin et al. (US 2003/0074552).

Kondo discloses the above stated user authentication method where the authentication processing and operation permission are repetitively performed every time an operation from a diverse range of user operations, such as obtaining data from storage means in a PC having the authentication unit, updating data, drawing money

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from the financial terminal, and downloading data from the server through the network, is performed (See paragraph 8)

Kondo does not disclose the time period set for one time of operation is a multiple of a time period set for another type of operation.

Olkin discloses user configurable cache password word settings and password cache time for an e-mail operation (See paragraphs 41 and 64-68).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the user authentication method of Kondo to include user configurable password settings and password cache time for user operations such as that taught by Olkin in order to improve processing efficiency of the user authentication method (See Kondo paragraph 8).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRETT SQUIRES whose telephone number is (571) 272-8021. The examiner can normally be reached on 9:30am - 6:00pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/BS/

/Christopher A. Revak/
Primary Examiner, Art Unit 2431